

What the ports controversy says about Washington's "war on terror"

Patrick Martin
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The political uproar in Washington over the sale of cargo facilities in six US ports to an Arab-owned company has exposed the cynicism of the Bush administration's so-called "war on terror" and its claim that military aggression abroad and attacks on democratic rights at home are aimed at protecting the American people from new terrorist attacks like those of September 11, 2001.

Bush has used the "war on terror" as an all-purpose pretext to justify actions ranging from the invasions of Afghanistan and Iraq to the passage of the USA Patriot Act and the illegal NSA program of warrantless electronic surveillance of Americans. But the administration is now finding it difficult to square its propaganda of the past four years, calculated to stoke up fear of terrorism for political purposes, with its decision to approve the transfer of port facilities in New York, Newark, Philadelphia, Baltimore, Miami and New Orleans to the control of Dubai Ports World (DPW), a state-owned firm based in the United Arab Emirates.

Leading Democrats have seized on the issue in an attempt to outflank the administration on national security issues from the right, and they have been joined by sections of congressional Republicans. In both parties, the controversy is being exploited to whip up chauvinist and anti-Arab sentiment. Predictably, the trade union bureaucracy, led by the Teamsters and the International Longshoremen's Association, has enlisted its services in this reactionary campaign.

All of these administration critics evade and seek to obscure the legitimate political issues raised by the administration's sanction, without any public discussion or congressional review, of the sale of the port facilities.

There is an obvious double standard at work: American citizens are to give up such fundamental rights as habeas corpus in favor of unchecked executive powers to arrest, imprison and even torture anyone designated by the president as an "enemy combatant." Giant transnational corporations, however, lose none of their freedom of action. Their decisions, even on such a sensitive issue as the control

of US port facilities, are routinely rubberstamped by the Bush administration.

The Bush administration was forced to take a step backward Thursday from its initial adamant refusal to consider the objections raised by congressional Democrats and Republicans to the Dubai acquisition. By the end of the day, after behind-the-scenes prodding from the White House, DPW management announced that it was prepared to forsake direct control of facilities at the six US ports for the time being so as to allow further study by US officials, so long as its acquisition of the British-owned Peninsular & Oriental company (P&O)—the current port facilities operator—went ahead. American operations accounted for about 10 percent of P&O's profits last year, and DPW has already begun taking over management of P&O's Asian and European facilities.

The way that this temporary retreat was made public sheds light on both the internal functioning of the Bush administration and the political motives behind its "war on terror." At a public hearing before a Senate panel, 10 administration officials defended their approval of the sale of P&O to Dubai and dismissed the concerns raised by the five senators present, four of them Democrats. As *Washington Post* columnist Dana Milbank described the scene, "Several of the officials spent their two hours whispering, passing notes and occasionally smirking at the senators' barbs."

Deputy Treasury Secretary Robert Kimmitt, chairman of the secretive committee that ratified the P&O sale, would not even concede that the statute requiring a 45-day review period whenever security concerns were raised over a foreign acquisition actually meant what it said. After several Democrats read out the legal language, Kimmitt replied blandly, "We didn't ignore the law. We might interpret it differently."

His position was essentially the same as that of Attorney General Alberto Gonzales, who earlier this month defended the warrantless electronic surveillance by the NSA on the basis of similarly contrived interpretations of the Foreign

Intelligence Surveillance Act.

Only a few hours later, however, a change in position was revealed by Karl Rove, deputy White House chief of staff, in a radio interview with Tony Snow of Fox News. “There are some hurdles, regulatory hurdles, that this still needs to go through on the British side, as well, that are going to be concluded next week,” Rove said. “There’s no requirement that it close, you know, immediately after that. But our interest is in making certain the members of Congress have full information about it, and that, we’re convinced, will give them a level of comfort with this.” This was followed soon after by the announcement from Dubai Ports World that it would delay taking over the US facilities.

The sequence of events is both extraordinary and revealing. The issue posed in the port sale is, at least nominally, whether adequate security procedures will be observed at major Atlantic and Gulf Coast seaports, where a smuggled nuclear device could put millions of people at risk. Yet a shift on this critical policy matter is announced, not by the president or any Pentagon or Homeland Security official, but by Bush’s chief political aide. Government officials stiff-armed a Senate committee, but the White House took a far different approach toward right-wing talk radio, which had begun to hammer the port sale as a cave-in to “Arab terrorists.”

Rove is the Bush spokesman who told Republican campaign officials two weeks ago that they should make the defense of illegal NSA spying an issue in the 2006 congressional elections by accusing the Democrats of a “pre-9/11” mentality on security issues—underscoring the cynicism of the whole “homeland security” campaign.

The takeover of P&O faces additional legal obstacles after the filing of two more lawsuits. A Miami stevedoring company went to court in London to block the sale of P&O only days after filing a similar suit in Florida. In New Jersey, the Port Authority of New York and New Jersey, which owns the port facilities that would be leased to Dubai Ports World, filed suit in a New Jersey state court, citing security concerns. The Port Authority said that P&O’s transfer of the facilities violated the 30-year lease the company signed in 2000. Also in New Jersey, former governor Thomas Kean, chairman of the bipartisan commission that investigated the 9/11 attacks, said in a press interview that the sale of the port facilities to Dubai “should never have happened.”

While the outcome of the legal and political conflict remains uncertain, the credibility of the Bush administration on its self-proclaimed strong suit, the “war on terror,” has been compromised. The barrage of media criticism includes many apologists for the war in Iraq, like the *Washington Post*, which editorialized Friday: “The chickens are coming home to roost. A White House that routinely brands anyone

who disagrees with its positions as soft on terrorism is now complaining that election-bound lawmakers are callously using the ports deal to frighten voters.”

There was also criticism of Bush’s critics in Congress, on the grounds that they were appealing to protectionist sentiments that might damage US commercial relations. The *Wall Street Journal* noted that Middle East oil exporting countries held \$121.1 billion in US securities in 2004, giving them considerable leverage against a US policy that discriminates against foreign investors from the Arab world. Other commentators declared dependence on Dubai for port facilities was nothing compared to dependence on central bankers in Beijing and Tokyo to finance huge US budget and trade deficits.

There were also more perceptive critiques. Sheila Lennon, a columnist for Rhode Island’s *Providence Journal*, pointed to the central contradiction in Bush’s posture, writing: “The administration cannot have it both ways. Either the terrorist threat is real, in which case we need to zip up America, run our own ports and restrict investments in critical infrastructure to our longtime allies. Or bin Laden is a bogeyman, useful for achieving a level of domestic control long held in check by the protections for civil liberties and privacy inherent in the American Constitution, but definitely in the way when it comes to attracting investment from Arab countries flush with oil money.”

The columnist voiced her own skepticism about the administration’s claims, concluding, “Like a bucket of cold water, the Dubai Ports World deal is serving as a reality check on the difference between the administration’s rhetoric and its assessment of the actual likelihood of attack.”

Such commentaries are a sign of things to come. The Bush administration has played a double game with the events of 9/11. It has exploited the tragic deaths of 3,000 innocent people to justify wars of aggression that have killed tens of thousands in Iraq and Afghanistan who had nothing to do with the destruction of the World Trade Center, and taken the lives of nearly 2,500 American soldiers in the two countries. At the same time, it has blocked any serious investigation of the attacks, which would reveal connections between the terrorists and US intelligence agencies. It is becoming increasingly difficult to conceal from the American people the contradictions in this two-faced policy.



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